

## REMARKS

In response to the Office Action dated December 8, 2004, please consider the following amendments and remarks made in a good faith attempt to move prosecution of this application forward to a proper allowance of the claims.

Please note that any and all fees associated with this response, including any applicable extension fees under 37 C.F.R. 1.136, and any fees for newly presented claims, may be charged to the deposit account of the undersigned, Account No. **50-0894**.

Applicant here requests such extensions under 37 C.F.R. 1.136 as may be necessary to render this response timely.

### **Drawings**

The drawings, as previously submitted, currently stand objected to under 37 CFR 1.84(p)(5) as they include a reference character not mentioned in the description ("fig. 3, reference character 2"). The drawings, as previously submitted, further stand objected to under 37 CFR 1.83(a) as they fail to show "keypad 180" as described in the specification.

Please note that the specification has been amended to include an appropriate reference "character 2" for the computer depicted in the drawings. Also, please note that replacement sheets have been submitted that specifically shows "keypad 180."

### **Oath/Declaration**

An oath and declaration, in compliance with 37 C.F.R. 1.67(a), is submitted in conjunction with this response.

## **Specification**

The disclosure currently stands objected to as “validation (1.06)” should be changed to “validation (1.04).” Please note the specification has been amended to correct this informality.

## **Claim Objections**

Claims 1 and 2 currently stand objected to based on informalities. As such, note that claim 1 and 2 has been amended as follows:

In claim 1, line 18 “a audible” has been changed to “an audible.”

Also, claim 2 has been withdrawn from prosecution.

## **Claim Rejections**

Claims 2 and 3 currently stand rejected under 35 U.S.C. 112(2) for failing to out and distinctly claim the subject matter which Applicant regards as the invention. Please note that claim 2 and claim 3 have been withdrawn from prosecution.

Claims 2 and 3 currently stand rejected under 35 U.S.C. 102(e) as being anticipated by Zirngibl et al, U.S. Patent No. 6,587,547 (“Zirngibl”). Dependent claims 2 and 3 have been withdrawn from prosecution. Further, independent claim 4 has been newly added and, in view of Examiner’s remarks and Applicant’s arguments, is believed to be in condition for allowance.

Note that claim 4, drawn to a method for disseminating and managing business information, incorporates the distinguishing elements of the system-based claim 1,

including: (1) the inclusion within each data file of parameters relating to intended recipients, data to be presented, associated options to be presented, and system responses to selected options; and (2) that the transmitting entity-defined hierarchy of presentation to recipients is defined within each data file itself, not (as in Zirngibl) by separate configuration of the data processing system itself to act upon certain data structures in certain ways (hierarchical, or otherwise).

Applicant, after close inspection, cannot find the definition of the hierarchical presentation of the data to recipients as being a function of specific hierarchical parameters of each data file itself in the Zirngibl document. Rather, in Col 5, line 9, et seq, the referenced dynamic call structure is said to arise from the data content, with no reference to a hierarchical parameter of each data file itself, and personalization is said to be established at the time of a user's subscription (not on-the-fly, based on each transmitting entity-transmitted data file).

The same observations apply to the cited portion of the Zirngibl document, appearing at col. 12, lines 35, et seq. Again, the cited structuring of the call is based on the content of data (information being reported to correspond to columns in a report, for example). The present system, by contrast, will have (by analogy to the columned report example) a data file parameter which will define, separately from the content of the data (or report) itself, in what order each portion of the data and associated action options will be presented (7<sup>th</sup> column first , 3<sup>rd</sup> column second, and so on).

Perhaps, as evidenced by the allowance of claim 1, Applicant and Examiner are in agreement regarding the above arguments. However, Applicant is uncertain to some

extent in view of the citations as to currently rejected claims 2 and 3. As such, out of an abundance of caution and in the interest of efficiency, Applicant thought it best to include the above comments and observations.

### DRAWING AMENDMENTS

Replacement sheets have been submitted herewith to reflect the needed changes. Specifically, wherein "180," the numeral designating "keypad," has been removed. Removal of numeral 180 is appropriate as it is not essential for a proper understanding of the disclosed invention. A proper designation of "keypad," as used in the present invention, is made sufficiently clear by the references in the specification and as shown in figure 2 (2.02).